

Exhibit A

Code Changes in Chapter 3.08

TREASURER

3.08.010 Office.

(Amended by Ordinance No. 158556, effective June 4, 1986.) Public Finance and Treasury is a division within the Bureau of Revenue and Financial Services reporting to the Office of Management and Finance and shall consist of the City Treasurer, Debt Manager, Investment Officer, and such employees as the Council may provide.

3.08.020 Salary-Bond. [No changes]**3.08.030 Duties of City Treasurer. [No changes]****3.08.040 Treasurer Authorized to Deposit in Banks.**

(Amended by Ordinance No. 158556, effective June 4, 1986.) The Treasurer shall have the authority to open or close bank accounts in the name of the City. The Treasurer shall make disposition of City deposits in such a manner as found by the Treasurer to be in the City's best financial interests. City funds in any bank are in the custody of the City Treasurer as required by law. The Treasurer shall be authorized to enter into deposit agreements as may be agreed upon with the bank. Each bank shall be authorized to accept City funds for deposit to any such accounts when tendered by any person without obligation to ascertain that the funds are being deposited in the proper account. The City Treasurer shall furnish each bank at which an account is maintained, a written statement naming the person or persons authorized to withdraw funds from such account, declaring the persons named therein are authorized assistants in the Public Finance and Treasury Division and certifying the signatures of the persons so named. Each bank should be authorized to honor withdrawals by the City Treasurer or by the person or persons named in such statement until written notice of cancellation or change is delivered to and received by the bank at which the account affected is maintained. In the event of the termination of services or death of the City Treasurer, the Chief Financial Officer shall make a record showing the time of termination and give notice to the banks maintaining a City account. The new City Treasurer shall be responsible for all monies received and disbursed after such time except that outstanding checks may be paid in due course and charged against the proper bank account. Each new City Treasurer shall promptly ~~make a check~~ verify with each bank in which City funds are deposited and ascertain the exact balance and make sure rectification as may be needed because of outstanding checks. Each new City Treasurer shall have and exercise all of the authority of his/her predecessor and may execute any new banking agreements.

3.08.050 **Liability of Treasurer for Deposit of Funds. [No changes]**

3.08.060 **Council May Require Additional Security from Banks. [No changes]**

3.08.070 **City Officers or Agents to Pay Money to the City Treasurer.**

Any officer or agent of this City or other person who shall receive or have possession of any money belonging to the City shall immediately pay the same to the Treasurer who shall receipt the money. Failure to pay to the Treasurer any money received within ~~48~~ 24 hours shall be deemed sufficient cause for removal in the absence of excusable failure.

Exhibit B (Amended)

Code Changes in Chapter 3.15

Chapter 3.15

OFFICE OF
MANAGEMENT AND FINANCE

(Chapter replaced by Ordinance No. 181483;
amended by Ordinance No. 184539,
effective May 20, 2011.)

Sections:

- 3.15.010 Organization.
- 3.15.020 Bureau of Internal Business Services.
- 3.15.030 Business Operations Division.
- 3.15.040 Bureau of Revenue and Financial Services.
- 3.15.050 Bureau of Human Resources.
- ~~3.15.060 Revenue Bureau.~~
- 3.15.070 Bureau of Technology Services.
- ~~3.15.080 Enterprise Business Solution Division.~~

3.15.010 Organization.

(Amended by Ordinance No. 185807, effective December 12, 2012.)

- A. The Office of Management and Finance shall be under the direction and control of the Chief Administrative Officer (CAO) and shall include such other employees as Council may provide. The CAO shall report to the Mayor, but shall serve the entire Council, including providing information and advice to elected officials. The Office of Management and Finance is responsible for providing and coordinating administrative services of the City in support of the operational needs of City bureaus, and other duties as assigned. Administrative services include all those functions that provide products, services and support to City employees and programs that in turn provide direct services to the public. These services include, but are not limited to, the following: accounting, debt management, treasury management, payroll, grant administration, license, tax and fee collection, risk management, facilities and property management, fleet management, human resources and personnel services including employee training and education, technology services, printing and distribution, and procurement services.
- B. The Office of Management and Finance consists of the Office of the CAO, the Bureau of Internal Business Services, which includes the divisions of CityFleet, Facilities, Procurement Services, Printing and Distribution, and Risk Management; the Business Operations Division, and the bureaus of the Bureau of Revenue and

Financial Services, the Bureau of Human Resources, Revenue, and the Bureau of Technology Services, ~~and the Enterprise Business Solution Division.~~

C. [No changes]

D. [No changes]

E. The Office of the CAO shall be comprised of the Business Operations Division, a Policy Team, Spectator Facilities management, and Citywide projects assigned to the CAO.

3.15.020 Bureau of Internal Business Services. [No changes]

3.15.030 Business Operations Division. [No changes]

3.15.040 Bureau of Revenue and Financial Services.
(Amended by Ordinance Nos. 185652 and 185807, effective December 12, 2012.)

A. The Bureau of Revenue and Financial Services (BRFS) shall be supervised by a Director, who shall also serve as be the Chief Financial Officer (CFO) of the City,⁵ ~~and who~~ The Director shall report to the CAO, but shall serve the entire Council including providing information and advice to elected officials. The Bureau of Revenue and Financial Services shall consist of the following ~~divisions~~ units: Accounting; ~~and~~ Public Finance and Treasury, Revenue and Grants. The Bureau of Revenue and Financial Services is responsible for treasury and debt management, ~~deferred compensation, accounting and payroll,~~ grants management and assigned grant funds, pension oversight, revenue and tax collection, regulatory programs, programs of the Office for Community Technology, and other services or responsibilities the Council or the CAO may assign.

B. Serving as CFO, the Director shall be responsible for the overall coordination of financial services of the City. The duties shall include, but not be limited to, the following Citywide responsibilities:

1. Financial management and policy development

2. Long-range financial planning and financial sustainability

3. Revenue development and collection activities

C. The Accounting Division shall be supervised by a Controller who reports to the CFO the BRFS Director and shall have specific authority to:

1. Establish, maintain and enforce citywide accounting policies, practices, rules and regulations. The Controller shall be the final authority for interpretations of accounting and financial reporting policies and practices.
2. Authorize reports that disclose the fiscal condition of the City to external users including the Comprehensive Annual Financial Report (CAFR), the Single Audit Report, and other reports required by federal, state and local regulations.
3. Conduct or contract with public accounting firms to conduct financial and compliance audits and other tests to determine compliance with citywide accounting and financial reporting policies and current professional standards and adequacy of internal controls over accounting transactions, the cost of which shall be paid by the bureau being audited.

CD. Public Finance and Treasury Division shall be supervised by the City Treasurer, who shall report to the ~~CFO~~ BRFS Director. The Treasurer shall have those authorities and responsibilities as described in PCC Chapter 3.08. Debt Management within the Public Finance and Treasury Division, shall be supervised by the Debt Manager who shall report to the City Treasurer. Debt Management is responsible for managing the City's debt program to ensure access to capital markets including long- and short-term capital financing programs, providing expert advice to City bureaus and officers regarding placement of debt and capital financing issues, and performing other duties as assigned. The Debt Manager is responsible for assuring that sales or leasing agreements entered into by the City comply with applicable Federal tax exemption regulations for funding and financing.

E. The Revenue Division shall be supervised by a Director who shall report to the BRFS Director. The responsibilities of the Revenue Division shall include, but are not limited to:

1. Manage all billing and collection software used by the Revenue Division including, but not limited to, maintenance, defect troubleshooting, problem resolution, development, enhancements and upgrades.
2. Support end users in diagnosing and resolving system problems.
3. Conduct business and system process improvements.
4. Manage, enforce and collect business license taxes.
5. Manage, enforce and collect transient lodging taxes.
6. Manage, enforce and collect the Arts Education and Access Income Tax.

7. Manage and enforce regulatory programs assigned by City Council, including the authority to enact administrative rules and regulations.
8. Manage and collect assessments and liens, in coordination with the City Auditor's Office.
9. Perform business management functions including mail processing, receipting and distribution; and perform overall financial accounting of bureau revenues.
10. Audit functions including the Portland area business license tax returns, transient lodging taxes and internal systems and processes, as well as other special audits as deemed necessary.
11. In consultation with the requesting bureau, recommend systems for new revenue or fee collection services.
12. Manage funds as assigned.
13. Manage, administer and enforce such responsibilities as are assigned to the Office for Community Technology by City Code or the Council, and
14. Perform such other duties as may be required by ordinance or by the City Council, or which are necessary to implement the purposes of this Chapter.

3.15.050 Bureau of Human Resources.

- A. The Bureau of Human Resources shall be supervised by a Director who shall report to the CAO. The responsibilities of the Bureau of Human Resources shall include coordination and control of the administrative and technical activities relating to maintenance of a comprehensive human resources system for the City, including employee relations, labor relations and negotiations, training, promoting diversity and equity in outreach employment and recruitment services, classification, and compensation, affirmative action and diversity development, training and workforce development, human resources systems, payroll, deferred compensation, and employee benefits and wellness. The Bureau of Human Resources shall be responsible for the health benefit plan administration and funding including the Health Insurance Fund ~~and the Portland Police Association Health Insurance Fund.~~

B- F [No changes]

- G. The Human Resources Director and the Benefits Manager shall design, manage and administer a comprehensive, competitive and compliant benefits package, including the Deferred Compensation Program, as approved by the Council, including provisions for:
1. Medical, dental and vision coverage;
 2. Dependent Care Assistance Plan;
 3. Medical Expense Reimbursement Plan;
 4. Life Insurance;
 5. Long-Term Disability; and
 6. Employee Assistance Program; and
 7. Deferred Compensation Program

Such provisions shall include employee participation eligibility and enrollment, claims management, procedures for record keeping and responsibility for all applicable reporting and disclosure requirements.

~~3.15.060 — Revenue Bureau.~~

~~(Amended by Ordinance No. 185568 and Resolution No. 36939 (approved at November 6, 2012 election); effective December 5, 2012.)~~

- ~~A. — The Revenue Bureau shall be supervised by a Director who shall report to the CAO. The Revenue Bureau consists of the divisions of Business Solutions, License and Tax, Operations, Regulatory and the Office for Community Technology. The Revenue Bureau is responsible for collecting a wide variety of City revenues and fees, and maintaining and improving the systems that collect them. The responsibilities of the Bureau shall include, but are not limited to:~~

- ~~1. — Manage all billing and collection software used by the Revenue Bureau including, but not limited to, maintenance, defect troubleshooting, problem resolution, development, enhancements and upgrades.~~
- ~~2. — Support end users in diagnosing and resolving system problems.~~
- ~~3. — Conduct business and system process improvements.~~

4. ~~Manage, enforce and collect business license taxes.~~
 5. ~~Manage, enforce and collect transient lodging taxes.~~
 6. ~~Manage, enforce and collect the Arts Education and Access Income Tax.~~
 7. ~~Manage and enforce all regulatory programs formerly the responsibility of the Bureau of Licenses, including the authority to enact administrative rules and regulations.~~
 8. ~~Manage and collect assessments and liens formerly the responsibility of the Auditor's Office.~~
 9. ~~Perform business management functions including mail processing, receipting and distribution; and perform overall financial accounting of bureau revenues.~~
 10. ~~Audit functions including the Portland area business license tax returns, transient lodging taxes and internal systems and processes, as well as other special audits as deemed necessary.~~
 11. ~~In consultation with the requesting bureau, recommend systems for new revenue or fee collection services.~~
 12. ~~Manage funds as assigned.~~
 13. ~~Manage, administer and enforce such responsibilities as are assigned to the Office for Community Technology by City Code or the Council, and~~
 14. ~~Perform such other duties as may be required by ordinance or by the City Council, or which are necessary to implement the purposes of this Chapter.~~
- B. ~~To the extent any other provision of the Portland City Code conflicts with this Section 3.15.060, this section shall control.~~

3.15.070 Bureau of Technology Services.

A [No changes]

- B. Except as specifically exempted by the CTO, the Bureau shall manage, establish policies and standards, and provide technical support for all City-owned technology systems. Technology systems include, but are limited to, information and electronic communications systems. It shall:

1. Provide citywide technology strategic planning and consulting services, including project scoping, budget preparation and analysis, system planning and procurement, resource allocation and project management for technology projects.
2. Design, implement and manage all technology hardware and software including system security measures.
3. Manage all citywide radio, video, data communications, microwave, wireless communications and telephone systems and equipment owned by the City.
4. Design, implement and manage all citywide voice, video and data applications.
5. Manage all end user technology support services, including Help Desk and Desktop Support services.
6. Manage citywide Geographic Information Systems.
7. Provide all Internet and Intranet services to City bureaus, offices, boards and commissions.
8. In cooperation with the Procurement Services Division of the Bureau of Internal Business Services, review and approve the purchase of all technology software, hardware and professional consulting services. Any proposed technology lease transaction shall first be reviewed and approved by the City's Debt Manager.
9. Provide technical expertise and information to technical oversight committees for City technology projects.
10. Provide all telephone services to City bureaus; coordinate with telephone vendors; order new facilities and equipment for city-owned or leased systems; plan telephone systems; and resolve all telephone problems.
11. Manage the City's official website.
12. Manage and authorize all City domain name registrations and renewals.
13. Manage the Enterprise Business Solution Division which is responsible for managing technology systems used to standardize and manage the City's business affairs and providing Citywide services in, but not limited to, the areas of fiscal services, procurement, and human resources services. The EBS Division shall be supervised by a Manager who shall report to the CTO.

3.15.080 — Enterprise Business Solution Division.

~~The Enterprise Business Solution Division (EBS) shall be supervised by a Manager who shall report to the CAO. With support of technical staff of the Bureau of Technology Services, the EBS Division is responsible for managing the technology systems used to standardize and manage the City's business affairs and providing citywide services in, but not limited to, the areas of fiscal services, procurement and human resource services. The Division's yearly workplan and long range strategic plan will be monitored by representatives from City bureaus and Offices organized into an Executive Steering Committee and a Program Advisory Committee. These committees shall provide recommendations to the CAO. The CAO is authorized to adopt administrative rules establishing EBS Operating Principles.~~

Exhibit C

Code Changes in Chapter 3.98

TOWING BOARD OF REVIEW

3.98.010 Created - Organization.

(Amended by Ordinance Nos. 143364, 149583, 157639, 168911, and 172488 effective July 22, 1998.)

A. [No changes]

B. The voting members of the Board shall be: the ~~Business-Lieense~~ Director of the Portland Bureau of Transportation or an appropriate designee; the Executive Director of the Port of Portland or appropriate designee; the Chief of Police or an appropriate designee; the Traffic Engineer or appropriate designee; the Sheriff of Multnomah County or an appropriate designee; and three members of the general public with no affiliation with the towing industry, appointed by the Mayor, subject to confirmation by the City Council to serve for a period of 2 years. The Mayor shall designate one of the eight voting members to serve as the Chair, who shall so serve at the Mayor's pleasure.

C – E [No changes]

3.98.020 [No changes]

3.98.030 Staff.

(Amended by Ordinance Nos. 153508 and 157639, effective July 25, 1985.) The ~~Bureau of-Lieenses~~ Portland Bureau of Transportation shall provide staff and appropriate assistance for the Board.

3.98.040 – 080 [No changes]

Exhibit D

Code Changes in Chapter 3.114

OFFICE FOR COMMUNITY TECHNOLOGY

3.114.010 Creation.

(Amended by Ordinance No. 185568, effective September 28, 2012.) There is hereby established an Office for Community Technology. The Office shall be supervised by a manager who shall report to the Director of the Revenue ~~Bureau~~ Division, as provided under Subsection ~~3.15.060 A.~~ 3.15.040 E., or the Director's designee. As used in this Chapter and elsewhere in the City Code when referring to the Office for Community Technology, the term "Director" shall mean the Director of the Revenue ~~Bureau~~ Division or the Director's designee. The Office shall have such other employees as the Council may provide.

3.114.020 – 050 [No changes]

Exhibit E

Code Changes in Chapter 5.09

DEFERRED COMPENSATION PLAN

5.09.005 Title. [No changes]

(Amended by Ordinance Nos. 179417, 182168 and 185726, effective November 14, 2012.)

A - C [No changes]

D. Service Investment Providers. As of August 11, 2005, the ~~investment-service~~ providers offered by the Plan are:

1. ING Life Insurance and Annuity Company
2. Advantis Credit Union

5.09.010 Definitions.

(Amended by Ordinance Nos. 179417, 182168, 183900 and 185726, November 14, 2012.)
As used in this Chapter, unless the context otherwise requires:

A - B [No changes]

C. “Beneficiary” means the person(s) designated by the Participant to receive any benefits payable under the plan in the event of the Participant's death. The term Beneficiary may also includes the Participant's estate.

D. [No changes]

E. “City Treasurer” means the City employee that manages the Public Finance and Treasury Division of the Bureau of Revenue and Financial Services.

F. “Committee” means the Deferred Compensation Advisory Committee which makes recommendations for Council to approve regarding plan design, Service Providers, and consultative support on behalf of the Plan.

G – I [No changes]

J. “Includable Compensation” means the remuneration for service performed for the City which is currently includable in gross income (such amount will not include any amounts excluded from gross income pursuant to this Chapter). Severance pay is excluded. Pay for unused vacation, comp time, and holiday pay ~~and sick leave~~ is included if deferred prior to a severance from employment and pursuant to this Chapter.

~~K.~~ **“Investment Providers”** means the financial institutions that have contracts with the City to provide investment services to Participants consistent with the terms of the Plan.

KL. **“Normal Retirement Age”** means age 70-1/2 or that age selected in writing by a Participant in accordance with this Subsection. A Participant’s Normal Retirement Age determines the period during which a Participant may defer those amounts described in Subsection 5.09.050 C. Once a Participant has to any extent utilized the “catch up” provisions of Subsection 5.09.050 C., the Participant’s Normal Retirement Age may not be changed. As an alternative to age 70-1/2, a Participant may, at any time prior to Severance from Employment or prior to utilization of the “catch up” provisions of Subsection 5.09.050 C., designate his or her Normal Retirement Age to be any of the following:

1. Any age which is:

- a. Not earlier than the earliest age at which the Participant has the right to retire and receive immediate and unreduced retirement benefits from the pension plan of which the Participant is a member (i.e., the Fire and Police Disability, Retirement and Death Benefit Plan for fire fighters and police officers who are members of that Plan and the Public Employee's Retirement System (PERS) for all other Participants); and
- b. Not later than the date the Participant attains age 70-1/2.

LM. **“Participant”** means any Employee who fulfills the eligibility and enrollment requirements of this Chapter.

MN. **“Participating Employer”** means the Portland Development Commission (PDC), or any entity that has adopted the City of Portland Governmental 457(b) Plan, and is legally related to the City of Portland. For employees of a “Participating Employer”, wherever this Chapter references the “City” with respect to the employment relationship, services performed and compensation paid, the term “City” shall also mean the “Participating Employer”.

NO. **“Participation Agreement”** means an agreement between the City and a Participant, on a form prescribed by the City, that provides for the deferral of Compensation due a Participant to a future date for service currently rendered by the Participant to the City.

OP. **“Plan”** means the program established by this Chapter which has as its purposes the deferral of Compensation to Participants and the deferral of income taxation on

the Deferred Compensation.

PQ. "**Plan Administrator**" means the ~~City Treasurer~~ Bureau of Human Resources Director, or his or her designee, who prepares and provides documents, materials and support services required to administer the Plan on behalf of Participants.

QR. "**Plan Year**" means a calendar year.

RS. "**Records**" means the materials and forms maintained in files for each Participant in the Deferred Compensation Plan.

ST. "**Roth Account**" means the portion of the Participant Account established and maintained by the Administrator for each Participant with respect to his or her Roth Deferrals including any amounts transferred into the Plan.

TU. "**Roth Deferrals**" means Deferred Compensation which is designated irrevocably as a Roth Deferral by the Participant at the time the deferral election is made, and which is included in the Participant's taxable income at the time the Participant would have received such amount in Compensation. All Roth Deferrals will be made in compliance with Internal Revenue Code Section 402A.

U. "**Service Providers**" means the financial institutions that have contracts with the City to provide investment services to Participants consistent with the terms of the Plan.

~~**V.** "**Settlement and Payment Election Agreement**" means an agreement between the City and a Participant on a form prescribed by the City that allows the Participant to elect and change the manner in which the value of the Participant's Account is paid.~~

VW. "**Severance from Employment**" means the severance of the Participant's employment with the City. A Participant shall be deemed to have severed his or her employment with the City when, in accordance with the established practices of the City, the employment relationship is considered to be terminated.

WX.

1. "**Unforeseeable Emergency**" means severe financial hardship to the Participant resulting from

a. a sudden and unexpected illness or accident of the Participant or of a dependent (as defined in IRC Section 152a) of the Participant, or a designated beneficiary,

b. loss of the Participant's property due to casualty, or

- c. the need to pay for the funeral expenses of the participant's spouse or dependent (defined in IRC Section 152(a),) or
 - d. other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the Participant.
2. The circumstances that will constitute an Unforeseeable Emergency will depend upon the facts of each case, but, in any case, payment may not be made to the extent that such hardship is or may be relieved;
- a. Through reimbursement or compensation by insurance or otherwise;
 - b. By liquidation of the Participant's assets to the extent the liquidation of such assets would not itself cause severe financial hardship; or
 - c. By cessation of deferrals under this Chapter.

Examples of what are not considered to be unforeseeable emergencies include the need to send a Participant's child to college or the desire to purchase a home.

X. “Withdrawal Agreement” means an agreement between the City and a Participant on a form prescribed by the City that allows the Participant to elect and change the manner in which the value of the Participant’s Account is paid.

5.09.020 Purpose. [No changes]

5.09.030 Administration.

(Amended by Ordinance Nos. 176426, 179417, 182168, 185341 and 185726, effective November 14, 2012.) This Chapter shall be administered by the Bureau of Human Resources Director, or his or her designee, with the assistance of the a Deferred Compensation Advisory Committee (the Committee) with the assistance of the Bureau of Financial Services and the Bureau of Human Resources. The Committee shall consist of the Chief Administrative Officer of the Office of Management and Finance, the Director of the Bureau of ~~Financial Services~~ Human Resources, and the City Treasurer and/or their respective designees. The City Treasurer Chief Administrative Officer shall designate a Committee shall serve as Chairperson. The Committee shall study all matters connected with providing a deferred compensation plan on the best basis possible with relation both to the welfare of the Participants and the City. The Committee shall have authority to devise specifications for deferred compensation plans, advertise for responses and bids, and analyze responses. The Bureau of Human Resources Director, or his or her designee, at the direction of the Committee, is authorized to negotiate and execute all contracts, including contracts with ~~Investment Service~~ Providers. The terms of any contract with the

Plan may authorize the assessment of fees to be charged against ~~Investment-Service~~ Providers or other contractors that may be necessary to fund the administration of the Plan. The Bureau of Human Resources Director, or his or her designee, at the direction of the Committee, is further authorized to prepare and provide any other documents, materials and support services that may be required to administer the Plan. The Committee members may participate in the Plan established herein if otherwise eligible, but shall not be entitled to participate in decisions relating solely to their own participation.

5.09.035 Education.

The Committee shall review, ~~approve and implement~~ the Plan marketing and education ~~materials of employees about the Plan~~. All promotional and City-sponsored employee marketing and education efforts relating to the Plan may be coordinated with other similar efforts sponsored by the Employee Benefits Division of the Bureau of Human Resources. The Committee shall not offer investment advice to employees or plan Participants.

5.09.040 Participation in the Plan.

(Amended by Ordinance Nos. 179417, 182168, 183900 and 185726, effective November 14, 2012.)

A [No changes]

B. Enrollment in the Plan. An eligible Employee may become a Participant and defer Compensation not yet earned by executing a written Participation Agreement, and ~~delivering~~ submitting it to the Bureau of Human Resources, Benefits Division in an acceptable format. Compensation will be deferred for any calendar month only if a Participation Agreement providing for such deferral has been entered into by the 15th of the preceding month

C. The Participation Agreement shall be ~~on~~ in a form-format provided by the City, which shall include the following:

1. The Participant's name;
2. The dollar amount or percent of Compensation to be deferred;
3. ~~The investment or deposit preference;~~
34. Other relevant statements necessary and appropriate for carrying out the purposes of this Chapter; and;
4. The investment or deposit preference shall be made in a format provided by the City.

D. When an eligible Employee executes a Participation Agreement, an

Acknowledgement and a Beneficiary Designation shall also be completed. A Participant may change the Beneficiary Designation at any time by completing a new Beneficiary Designation and ~~delivering~~ submitting it to the Bureau of Human Resources, Benefits Division. A change of Beneficiary Designation shall become effective on the date received by the Bureau of Human Resources, Benefits Division.

- E. The City, upon written request of an eligible Employee, will reduce each pay period the salary of the eligible Employee by an amount of money designated by that Employee in the Employee's Participation Agreement. The City ~~may~~ shall pay that amount to the ~~Investment~~ Service Provider designated in the Employee's Participation Agreement.
- F. Once per month, a Participant may modify his or her Participation Agreement as to the amount of Compensation not yet earned to be deferred during each Plan Year. Any modification as to the amount of Compensation to be deferred by a Participant must be ~~made in writing~~ submitted in a format provided by the City, and received by the Bureau of Human Resources, Benefits Division, by the 15th of the month prior to the month in which said modification is to become effective.
- G. A Participant may revoke the Participation Agreement at any time with respect to any pay period by ~~written~~ submitting notification in a format provided by the City, which must be received by the Bureau of Human Resources, Benefits Division, at least ~~two (2) weeks~~ on full pay period prior to the date upon which the Participant desires the revocation to be effective.
- H. At the time of severance from employment with the City, a Participant may make a special election of their vacation, comp, and/or holiday ~~and/or sick leave~~ payoff. A Participant must ~~complete~~ submit a Participation Agreement by the 15th of the month prior to the month in which they sever employment. The election can be made as a dollar or percentage amount. This election will only apply once on the final paycheck issued. The maximum deferral limits shall apply in accordance with Section 5.09.050. If not previously elected during the calendar year, the participant may elect the age 50 catch-up provision or the 3-year catch-up provision pursuant to Subsection 5.09.~~055050~~ B.
- I. A Participant who has severed his or her employment or who has revoked the Participation Agreement may again participate in the Plan, provided that he or she is eligible, by submitting ~~executing~~ a new Participation Agreement.
- J. [No changes]
- K. Automatic Enrollment in the Plan.
 - 1. [No change]

2. Advance Notice. An Eligible Employee will be provided the required advance notice of automatic enrollment pursuant to IRC Section 414(w), including the amount of contributions that will be made, the employee's right to elect to not have automatic contributions made, a description of how the contributions will be invested, and when such contributions may be distributed. The notice shall be provided within a reasonable period before each Plan Year or before such other time when the automatic provision will first become applicable to an Eligible Employee.
 - a. Opting Out of Automatic Enrollment. A Participant shall have the right to opt out of automatic enrollment at any time by completing a Participation Agreement or by providing ~~written~~ notice of the election to not have any amount withheld from his or her Compensation.
 - b. Deferral Amount. The amount deferred from an Eligible Employee's Compensation shall be the amount specified in the applicable collective bargaining agreement, provided that the requirements of IRC Section 414(w) are satisfied, including the requirement that the percentage of pay deferred will be uniform for employees with the same years of employment, and the applicable minimum and maximum deferral percentages.

5.09.050 Compensation Deferral.

(Amended by Ordinance No. 182168, effective October 3, 2008.)

- A. The amount of Compensation which may be deferred by a Participant shall be subject to the following limits:
 1. The minimum amount deferred shall not be less than \$10 per pay period;
 2. [No changes]

5.09.055 Catch-up Provisions

(Amended by Ordinance Nos. 179417 and 182168, effective October 3, 2008.)

- A. [No changes]
- B. **Age 50 catch-up provision:** All Participants who are eligible to make elective deferrals under the Plan and who have attained age 50 before the close of the calendar year shall be eligible to make catch-up contributions in accordance with Schedule A, and subject to the limitations of IRC Sections 414(v) and 414(v)(6)(c). Additional deferrals under this section of the Plan may be made except during the three (3) years prior to normal retirement age while utilizing the catch-up provision provided for in Subsection 5.09.055 A. of the Plan. Age 50 catch-up contributions

will not be taken into account for purposes of determining a participant's underutilized amounts under the three year catch-up provision. The Participant must select the catch-up which results in the higher contribution amount.

Schedule A

For the Year:	Additional deferral amount:
2002	\$1,000
2003	\$2,000
2004	\$3,000
2005	\$4,000
2006	\$5,000
2007	\$5,000
2008	\$5,000
<u>2009</u>	<u>\$5,500</u>
<u>2010 &</u>	<u>Amount shall be administered to reflect changes in</u>
<u>thereafter</u>	<u>Accordance with IRC Sections 457(e)(15) and 415(d).</u>

C - D [No changes]

5.09.056 Excess Referrals.

(Added by Ordinance No. 179417; amended by Ordinance No. 182168, effective October 3, 2008.) A Participant who participates in the Plan and another Governmental 457(b) Plan of another employer shall be responsible for complying with the deferral limits. In the event of an excess amount, the Participant shall notify the Committee-Plan Administrator so that the excess and the proportionate earnings on the excess as determined by the Plan Administrator in accordance with IRC Section 457 may be distributed as soon as practicable after the Committee-Plan Administrator determines that the amount is an excess deferral.

5.09.060 Deferred Compensation Records.

(Amended by Ordinance No. 182168, effective October 3, 2008.)

- A. The City shall maintain records necessary and appropriate to the efficient administration of this Chapter, and such records shall be maintained by the City until a Participant or his or her designated Beneficiaries have received the payment of such amounts as they are entitled to receive under the terms of the applicable ~~Settlement and Payment Election~~ Withdrawal Agreement.

B - F [No changes]

5.09.070 Payment Options.

A [No changes]

- ~~B. A Participant or Beneficiary must select a payment option at least 30 days before the payment of benefits is to commence.~~

5.09.080 Distribution of Benefits Generally.

(Amended by Ordinance Nos. 177367, 179417, 182168, 185341 and 185726, effective November 14, 2012.)

A [No changes]

- B.** Distribution of a Participant's Account to a Participant or a Beneficiary shall be made in accordance with the manner and method of payments selected in the ~~Settlement and Payment Election~~ Withdrawal Agreement, which election may be changed by a Participant or Beneficiary, subject to the restrictions of the Plan.

C - E [No changes]

- F.** In no event shall the distribution of a Participant's Account commence earlier than:
1. the calendar year in which the Participant attains his or her Normal Retirement Age as defined in Subsection 5.09.010 ~~KL~~,
 2. the Participant's Severance from Employment, or
 3. when the ~~Committee Plan Administrator or designee~~ approves a distribution pursuant to an Unforeseeable Emergency of a Participant.

G - L [No changes]

5.09.090 [No changes]

5.09.100 Determination of Benefits Upon Death

(Replaced by Ordinance No. 179417; amended by Ordinance No. 182168, effective October 3, 2008.)

A. [No changes]

B. The designation of a Beneficiary shall be made ~~in~~ ~~a form~~ manner that is satisfactory to the Plan Administrator. A Participant, Former Participant, or Alternate Payee may at any time revoke his or her designation of a Beneficiary or change his or her Beneficiary by ~~filing written~~ submitting notice of such revocation or change with the Plan Administrator. In the event no valid designation of Beneficiary exists at the time of the Participant's, Former Participant's, or Alternate Payee's death, the death benefit shall be payable to the Participant's, Former Participant's, or Alternate Payee's estate.

C. [No changes]

D. Death benefits payable to a Beneficiary shall be made in a form as selected by the Beneficiary in accordance with the available options. In the event a Beneficiary fails to make an election as to a benefit distribution option, any benefit payable to such Beneficiary shall be distributed in a lump sum payment in accordance with IRC Section 401(a)(9) and any applicable State of Oregon law or statute. The terms of any annuity contract purchased and distributed by the Plan to a Beneficiary shall comply with the requirements of the Plan.

E. Notwithstanding any provision in the Plan to the contrary, distributions upon the death of a Participant or Former Participant, shall be made in accordance with the ~~following requirements in subsection F. through J.~~ and shall otherwise comply with IRC Section 401(a)(9) and the Regulations thereunder.

F - G [No changes]

H. If there is no designated Beneficiary as of September 30 of the year following the year of the Participant's or Former Participant's death, the Participant's or Former Participant's entire interest will be distributed according to State of Oregon law or statute by December 31 of the calendar year containing the fifth anniversary of the Participant's or Former Participant's death.

I - J [No changes]

5.09.110 Distribution Commencing After Death of Participant.

(Repealed by Ordinance No. 179417, effective August 11, 2005.)

5.09.120 Unforeseeable Emergency.

(Amended by Ordinance Nos. 179417 and 182168, effective October 3, 2008.) A Participant may apply on a form supplied by the ~~City Treasurer~~ Bureau of Human

Resources Director, or his or her designee, for payment prior to Severance from Employment or Retirement from City employment but such applications may be granted only if the Participant is experiencing an Unforeseeable Emergency which would cause undue hardship if payment were denied. If the ~~City Treasurer~~ Bureau of Human Resources Director, or his or her designee, finds that a Participant is experiencing an Unforeseeable Emergency, he or she may approve an amount reasonably needed to satisfy the unforeseen emergency be made to the Participant. Payment will be made within 90 days of the date of such approval. Participants who request and are granted a hardship withdrawal from their deferred compensation account may not have their salaries reduced under the terms of this Chapter for a period of six (6) months following such hardship withdrawal. If the ~~City Treasurer~~ Bureau of Human Resources Director, or his or her designee, denies the application for payment, said denial shall be in writing. A Participant may appeal the decision to the Committee. An appeal must be in writing and received by the ~~City Treasurer~~ Plan Administrator within 30 days of the date of denial. The ~~e~~Committee shall issue a written decision within 90 days of receipt of the appeal by the ~~City Treasurer~~ Plan Administrator. Any decision of the Committee is final.

5.09.130 Non-Assignability.

(Amended by Ordinance Nos. 177367 and 182168, effective October 3, 2008.) Neither the Participant, nor the Participant's Beneficiary shall have any right to commute, sell, assign, transfer, or otherwise convey the right to receive any payment which may be due the Participant under the plan, which payments and rights thereto are expressly declared to be nonassignable and nontransferable. Nor shall any amounts deferred pursuant to this Chapter be subject to attachment, garnishment, or execution or be transferable by operation of law in the event of bankruptcy or insolvency unless otherwise required by law. The preceding paragraph prohibiting the assignment or alienation of benefits shall not apply to Qualified Domestic Relations Orders as set forth in Section 5.09.090 which may be issued pursuant to a court decree of annulment or dissolution of marriage or of separation, or the terms of any court order or court approved property settlement agreement incident to any court decree of annulment or dissolution of marriage or of separation which is determined by the ~~City Treasurer~~ Bureau of Human Resources Director or his or her designee to satisfy the requirements of ORS 243.507. The ~~City Treasurer~~ Bureau of Human Resources Director or his or her designee shall establish written procedures to determine whether the above described decrees or the property settlement agreements incident to such decrees satisfy ORS 243.507 and to administer distributions under such orders.

5.09.140 Amendment and Termination.

(Amended by Ordinance No. 182168, effective October 3, 2008.)

- A. The City may terminate the Plan provided for in this Chapter at any time. Upon such termination, the Participants in the Plan will be deemed to have withdrawn from the Plan as of the date of such termination and their full Compensation on a non-deferred basis will be thereupon restored. In the event the City terminates the plan, the value of all Accounts shall be distributed to the Participants or their Beneficiaries in accordance with the method of payment designated by the

Participant on a ~~Settlement and Payment Election~~ Withdrawal Agreement.

B [No changes]

5.09.150 – 5.09.150 [No changes]

5.09.155 Rollovers to the Plan.

(Replaced by Ordinance No. 182168; Amended by Ordinance No. 185726, effective November 14, 2012.)

A [No changes]

B. For purposes of this Section, the term “Participant” means the Participant, the Participant’s surviving spouse beneficiary or an Alternate Payee (who is a spouse or former spouse). “Eligible Retirement Plan” means any other IRC Section 457(b) plan maintained by an employer, an IRC Section 403(b) program, a IRC Section 401(a) plan, an individual retirement account as described in IRC Section 408(a), and an individual retirement annuity as described in IRC Section 408(b), and a Roth individual retirement account under IRC Section 408(a). For purposes of this Section, the term “amounts rolled over from an Eligible Retirement Plan” means:

1. amounts rolled to the Plan directly from another Eligible Retirement Plan on behalf of an Eligible Individual; and
2. Eligible Rollover Distributions as defined in IRC Section 402(c)4) received by an Eligible Individual from another Eligible Retirement Plan that are rolled over by the Eligible Individual to the Plan within sixty (60) days, following his or her receipt thereof.

C. A Participant may choose to receive a distribution from his or her 457(b) Rollover Account and Participant Non-457(b) Rollover Account at any time, whether he or she is otherwise entitled to a distribution from the Plan.

5.09.156 – 5.09.170 [No changes]

Exhibit F

Code Changes in Chapter 7.22

STREET AND SIDEWALK
USE PERMITS

7.22.010 [No changes]

7.22.020 Authorization.

- A. The Street and Sidewalk Use Coordinator of the ~~Bureau of Licenses~~ Portland Bureau of Transportation is authorized to issue street and sidewalk use permits.
- B. Adoption of Administrative Regulations. The Director of the ~~Bureau of Licenses~~ Portland Bureau of Transportation is authorized to adopt or amend administrative regulations pertaining to use of sidewalks and streets. All administrative regulations shall be in writing.
1. Prior to the adoption of any administrative regulations the Director of the ~~Bureau of Licenses~~ Portland Bureau of Transportation shall submit the proposed administrative regulations to the Street and Sidewalk Use Review Committee. After consultation with the Street and Sidewalk Use Review Committee, the Director of the ~~Bureau of Licenses~~ Portland Bureau of Transportation shall publish a notice regarding the proposed administrative regulations, and shall make them available for public review and written comments.
 2. No sooner than thirty days from the publication of the notice, the Director of the ~~Bureau of Licenses~~ Portland Bureau of Transportation may adopt the proposed administrative regulations. All administrative regulations adopted by the Bureau Director shall be filed in the office of the ~~Bureau of Licenses~~ Portland Bureau of Transportation. Copies of all current administrative regulations shall be made available to the public upon request.
 3. Notwithstanding subsections 1. and 2. of this section, the Director of the ~~Bureau of Licenses~~ Portland Bureau of Transportation may adopt interim administrative regulations without prior public notice upon the Director's finding that failure to act promptly will result in serious prejudice to the public interest or the interest of the affected parties, including the specific reasons for prejudice. Any administrative regulation adopted pursuant to this subsection shall be effective for a period of not longer than 180 days.

7.22.030 – 070 [No changes]

Exhibit G

Code Changes in Chapter 7.24

PRIVATE PROPERTY IMPOUND TOWING

7.24.010 [No changes]

7.24.020 **Administrative Authority.**

- A. The Director is authorized and directed to enforce all provisions of the PPI Code. The Director shall have the power to investigate any and all complaints regarding alleged violations of the PPI Code. The Director may delegate any or all authority granted under this Section to the Towing Coordinator or any ~~Revenue Bureau~~ Portland Bureau of Transportation officer, employee or agent.
- B. [No changes]
- C. Prior to the adoption of a new administrative rule, the Director shall give notice to all interested parties of the terms of the proposed rule, and shall conduct a public hearing to consider public comment. Public notice shall be given when administrative rules have been adopted.

1 – 2 [No changes]

3. Unless otherwise stated, all rules are effective upon adoption by the Director. All rules adopted by the Director will be filed in the ~~Revenue Bureau~~ Portland Bureau of Transportation and the Office of the City Auditor in compliance with Section 1.07.030. Copies of all current rules are available to the public upon request.

4. [No changes]

D – E [No changes]

7.24.030 **Definitions.**

For the purposes of the PPI Code and administrative rules adopted by the Director pursuant to the PPI Code, certain terms, phrases, words, abbreviations and their derivations are construed as specified in this Section. Words used in the singular include the plural and the plural the singular. Terms, phrases, words, abbreviations and their derivatives used, but not specifically defined in this Section, either have the meanings defined in the State of Oregon Motor Vehicle Code, or if not therein defined, have the meanings commonly accepted in the community.

- A. "**Director**" means the Director of the ~~Revenue Bureau~~ Portland Bureau of Transportation.

B – U [No changes]

7.24.040 Private Property Impound (PPI) Tower Registration.

- A. Initial registration. No PPI tower will tow or store vehicles towed from private parking facilities located inside the City of Portland unless the PPI tower has registered with the ~~Revenue Bureau~~ Portland Bureau of Transportation, and complied with all provisions of the PPI Code.

1 – 2 [No changes]

B – I [No changes]

7.24.050 - 090 [No changes]

7.24.100 Appeals.

A. [No changes]

- B.** PPI Board of Appeals. Pursuant to Portland City Charter Section 2-103, City Council hereby creates the PPI Board of Appeals. The PPI Board of Appeals will hear and resolve protests and appeals arising from adoption of administrative rules by the Director. The findings of the PPI Board of Appeals are final.

1. Composition of the PPI Board of Appeals. The PPI Board of Appeals shall consist of three members. A quorum shall consist of three members. The Commissioner in Charge of the ~~Revenue Bureau~~ Portland Bureau of Transportation shall appoint a representative member from a public agency and a representative member of the general public, and shall approve a representative member from the towing industry selected by the towing industry.

2 - 3 [No changes]

4. Staff. The ~~Revenue Bureau~~ Portland Bureau of Transportation shall provide staff and assistance to the Board.

5 – 6 [No changes]

Code Changes in Chapter 7.25

**PAY AND PARK AND NON-PAY
PRIVATE PARKING FACILITIES**

7.25.010 – 020 [No changes]

7.25.030 **Definitions.**

(Amended by Ordinance No. 186267, effective October 25, 2013.) Except where the context requires otherwise, the following words and phrases have the definitions given in this Section:

A – B [No changes]

C. "Director" means the Director of the ~~Revenue Bureau~~ Portland Bureau of Transportation or his or her designee.

D – J [No changes]

K. "Registered Facility" means a parking lot or structure that is accessible to the public that has been registered with the ~~Revenue Bureau~~ Portland Bureau of Transportation and is either:

1 –2 [No changes]

L – M [No changes]

7.25.040 [No changes]

7.25.050 **Registration as the Operator of a Facility.**

(Amended by Ordinance No. 186267, effective October 25, 2013.) No person may assess any penalty at any facility unless that person is in compliance with the provisions of this Chapter.

A [No changes]

B. Penalty notices, penalty payment letters and any subsequent demands for payment must include:

1 - 9 [No changes]

10. A statement that the vehicle owner may submit a written complaint to the ~~Revenue Bureau~~ Portland Bureau of Transportation if attempts to resolve the complaint with the operator have been unsuccessful anytime within 90 days of the date of the first penalty payment letter. The Bureau's contact and mailing address and website address for complaints must be included on penalty payment letters.

C – E [No changes]

7.25.060 Registration of a Facility.

No operator shall assess any penalties at any facility unless it is registered with the Revenue ~~Bureau~~ Portland Bureau of Transportation.

A – G [No changes]

7.25.070 – 120 [No changes]

7.25.130 Complaint Handling Procedures.

(Amended by Ordinance No. 186267, effective October 25, 2013.)

A. Operators responding to the complaints of parkers or registered owners of vehicles must follow these guidelines:

1 – 2 [No changes]

3. The operator's written response must include the mailing address of the Revenue ~~Bureau~~ Portland Bureau of Transportation and a statement that the parker or registered owner of the vehicle may submit a written complaint to the Bureau if attempts to resolve the complaint with the operator are unsuccessful.

4 – 8 [No changes]

B [No changes]

7.25.140 – 190 [No changes]

Exhibit I

Code Changes in Chapter 7.26

REGULATION OF PAYDAY LENDING

7.26.010 [No changes]

7.26.020 **Definitions.**

As used in this Chapter unless the context requires otherwise:

A - B [No changes]

C. "Director" means the Director of the Revenue ~~Bureau~~ Division.

D - F [No changes]

7.26.030 [No changes]

7.26.040 **Administrative Authority.**

A. The Director is authorized and directed to enforce all provisions of this Chapter. The Director shall have the power to investigate any and all complaints regarding alleged violations of this Chapter. The Director may delegate any or all authority granted under this Section to any Revenue ~~Bureau~~ Division officer, employee or agent.

B. [No changes]

C. Prior to adoption of a new administrative rule, the Director shall give notice to all interested parties of the terms of the proposed rule, and shall conduct a public hearing to consider public comment. Public notice shall be given when administrative rules have been adopted.

1 - 2 [No changes]

3. Unless otherwise stated, all rules shall be effective upon adoption by the Director. All rules adopted by the Director shall be filed in the Revenue ~~Bureau~~ Division and the Office of the City Auditor in compliance with PCC 1.07.030. Copies of all current rules shall be available to the public upon request.

4. [No changes]

D. [No changes]

7.26.050 - 110 [No changes]

Exhibit J

Code Changes in Chapter 14A.70

**GAMBLING, SOCIAL GAMES,
AND UNLAWFUL AMUSEMENT
GAMES OR CONCESSIONS**

14A.70.010 – 050 [No changes]

14A.70.060 Social Games Permit Application Process.

A. The application for a permit to conduct any social game activity shall set forth all information deemed necessary by the Director of the ~~Bureau of Licenses~~ Revenue Division consistent with the regulations provided in this Chapter, including but not limited to a description of the premises subject to the permit, and the fingerprints of the owner(s), officers, principal managing employees, and all employees who are involved in conducting the game activities or operating the game premises of the applicant. The permittee shall notify the Director within 10 days of any change in owners, officers, or principal managing employees that occurs subsequent to permit issuance.

1. [No changes]

2. [No changes]

3. With the concurrence of the Chief of Police or proper designee, the ~~Business Licenses~~ Revenue Division Director may exempt a corporate stockholder from the definition "principal managing employee" when it is shown that the involvement of such stockholder(s) in the operations of the applying organization is limited to stock ownership and that such stockholder(s) has no role in the conduct of the organization's operations.

4. [No changes]

B – D [No changes]

14A.70.070 Social Games Permit Issuance, Denial.

A. An application for a social game permit shall be denied if the Director of the ~~Bureau of Licenses~~ Revenue Division finds:

1 – 4 [No changes]

B. [No changes]

14A.70.080 Revocation, Suspension of Social Games Permit.

- A. The permit required under this Chapter may be temporarily suspended for up to 30 days or revoked by the ~~Bureau of Licenses~~ Revenue Division for any reason that would be grounds for denial of an application for a permit. Additionally, such permit may be suspended or revoked when investigation reveals that:

1 – 2 [No changes]

- B. Suspension or revocation shall become effective 5 days after the ~~Bureau~~ Revenue Division makes reasonable attempts to notify the permittee in writing of the grounds for revocation or suspension. If the permittee gives notice of appeal to the ~~Bureau~~ Revenue Division prior to the effective date of the revocation or suspension, suspension or revocation shall not become effective until the appeal is finally determined. If the permittee cannot be found after a reasonable effort to locate him or her has been made, then such notice may be sent by certified mail to the permit address, or posted at the same, and shall be deemed acceptable alternative means of service in lieu of personal service.

- C. [No changes]

14A.70.090 Appeal of Denial, Revocation, or Suspension of Social Games Permit.

The sole method of appeal of a denial, revocation, or suspension of a permit shall be as follows:

- A. When denying an application for permit, the ~~Bureau of Licenses~~ Revenue Division shall immediately make reasonable attempts to notify the applicant who may appeal within 10 days thereafter.
- B. Upon receipt of notice of appeal of a permit denial, revocation, or suspension, the Director shall appoint a Hearings Officer to hear the appeal. The Hearings Officer shall conduct a hearing on the matter, giving the permittee and the ~~Bureau~~ Revenue Division 10 days notice of the date thereof. The hearing shall be conducted according the procedures established for contested case hearings in ORS Chapter 183. The Hearings Officer shall issue a report within 10 days of the hearing, making findings of fact and determining whether the grounds for revocation or suspension given in the notice have been established by a preponderance of the evidence. The Hearings Officer's determination shall be final and effective within 10 days of giving notice to the ~~Bureau~~ Revenue Division and the permittee, unless appealed to the Council before such time by the aggrieved party. The Council shall hear and determine the appeal based on the record made at the hearing, but may, at its discretion, hear other evidence. In all cases, the decision of the Council shall be final.

14A.70.100 Inspection of Premises Permitted for Social Games.

All persons who have been issued permits pursuant to this Chapter shall permit entry to

premises where social games are conducted to any member of the ~~Bureau of Licenses~~ Revenue Division or any officer of the Bureau of Police, upon presentation of official identification, for the limited purpose of inspecting the premises and any activities, records, or devices involved in such games to ensure compliance with this Chapter. Failure to permit an authorized inspection shall be grounds for suspension or revocation of the involved social games permit.

14A.70.110 – 120 [No changes]

Exhibit K

Code Changes in Chapter 14B.90

SECONDHAND DEALERS

14B.90.010 [No changes]

14B.90.020 **Definitions.**

As used in this Chapter, unless the context requires otherwise:

A – F [No changes]

G. "Director" means the Director of the Portland Bureau of Revenue and Financial Services Revenue Bureau Division or his or her designee.

H – U [No changes]

14B.90.030 **Permit Required.**

A. No person or business shall engage in, conduct or carry on a secondhand dealer business in the City without a valid Secondhand Dealer Permit issued by the Revenue Bureau Division.

B – D [No changes]

14B.90.035 [No changes]

14B.90.040 **Application for Permit.**

A. [No changes]

B. The Dealer shall notify the Revenue Bureau Division of any changes in the information required in Section A within ten business days.

C – D [No changes]

14B.90.050 **Issuance and Renewal of Permit.**

A – C [No changes]

D. Dealer permits are valid for a term of one year and expire on the first anniversary of their issuance. The permits are nontransferable and are valid only for a single business location. When the business location is to be changed, the permit holder shall provide the address of the new location in writing to the Revenue Bureau Division for approval at least 14 days prior to the change.

E – G [No changes]**14B.90.060 Permit Fees.**

Every Dealer shall complete and submit all required forms to the Revenue ~~Bureau~~ Division and pay a nonrefundable fee as required by the Administrative Rules.

14B.90.070 Subsequent Locations.

A. Dealers must file an application for a permit for a subsequent or additional business location with the Revenue ~~Bureau~~ Division and pay a non-refundable fee as set forth in the Administrative Rules of Chapter 14B.90, provided the information required for the subsequent or additional business location is identical to that provided in the application for the prior location with the exception of that required by Section 14B.90.040 A.2.

B. [No changes]

14B.90.080 [No changes]**14B.90.090 Regulated Property Sale Limitations.**

A. Regulated property is subject to the following limitations:

1. [No changes]

2. Requirements of held property: All held property must remain in the same form as when received, must not be sold, dismantled or otherwise disposed of, and must be kept separate and apart from all other property during the holding period to prevent theft or accidental sale and to allow for identification and examination by the Revenue ~~Bureau~~ Division or Police Bureau. Held property must be kept at the business location during this holding period so that it can be inspected during normal business hours (as provided in Section 14B.90.110). Held property, other than property on Police Hold, may be held in a place within public view, as long as the other requirements of A.2 are met.

3. [No changes]

B – G [No changes]**14B.90.100 [No changes]****14B.90.110 Inspection of Property and Records.**

Upon presentation of official identification, a Dealer shall allow any representative of the Portland Police Bureau or the Revenue ~~Bureau~~ Division to enter the business location to

ensure compliance with the provisions of Chapter 14B.90. The inspection will be for the limited purpose of inspecting the business location, regulated property, and related records as provided in this Chapter and the Administrative Rules. Except by mutual agreement with the Dealer or by court order, any inspection under this Section may occur only during the Dealer's normal business hours.

14B.90.120 – 130 [No changes]

14B.90.140 Revocation or Suspension of Permit.

- A. Along with the other regulatory enforcement authority granted under this Chapter, the Director may, after consulting with the Chief of Police, revoke or suspend any permit issued pursuant to this Chapter:

1 – 3 [No changes]

4. If payment of civil penalties has not been received by the Revenue Bureau Division within ten business days after the penalty becomes final; or

5. [No changes]

B – D [No changes]

14B.90.150 Appeals.

- A. Any Dealer or person whose initial application or renewal application for a Dealer permit has been denied, or whose permit has been revoked or suspended, or who has been directed to pay a civil penalty by the Director, may appeal the action of the Director to the Code Hearings Officer of the City of Portland, as set out in Chapter 22.10 of the Portland City Code. Requests for appeal hearings must be filed with the Revenue Bureau Division.

B. [No changes]

14B.90.170 Authority of Director to Adopt Rules, Procedures and Forms.

A. [No changes]

B. Adoption of Rules.

1 – 2 [No changes]

3. The Director will consider oral and/or written testimony during the public hearing. The Director shall adopt the proposed rule, modify, or reject the proposed rule, based on the testimony received. Unless otherwise stated, all rules are effective upon adoption by the Director and will be kept on file at

the ~~Bureau~~ Revenue Division. Copies of all rules will be made available to the public upon request.

4. [No changes]

Exhibit L

Code Changes in Chapter 14B.110

AMUSEMENT DEVICES,
GAMES AND MACHINES

14B.110.010 [No changes]

14B.110.020 **Definitions.**

As used in this Chapter, unless the context requires otherwise:

A – B [No changes]

C. “Director” means the Director of the ~~Portland Bureau of Licenses~~ Bureau of Revenue and Financial Services Revenue Division, or his or her designee.

D – F [No changes]

14B.110.030 – 050 [No changes]

14B.110.060 **Permit Application, Issuance, Denial.**

A. Applications for all permits required by this Chapter shall be made to the ~~Bureau of Licenses~~ Revenue Division on forms provided by the ~~Bureau of Licenses~~ Revenue Division. The applicant shall provide all the information relating to the purposes of this Chapter required on the form by the ~~Bureau of Licenses~~ Revenue Division. Failure to provide any information requested on this form may be cause to deny the requested permit.

B – D [No changes]

14B.110.070 [No changes]

14B.110.080 **Inspection of Amusement Devices, Records, and Premises.**

A. Any person issued permits under this Chapter, or who controls any location in which a permitted amusement device is located, shall permit any ~~Bureau of Licenses~~ Revenue Division representative or Bureau of Police officer upon presentation of official identification, to enter such location for the limited purposes of inspecting all records, amusement devices and premises regulated under this Chapter, to which the public has access, to ensure compliance with the provisions of this Chapter.

B – C [No changes]

14B.110.090 – 100 [No changes]

14B.110.110 Violations, Sealing Prohibited Amusement Devices.

A – C [No changes]

D. The Bureau of Police shall assist the ~~Bureau of Licenses~~ Revenue Division in the seizure of the amusement device. The City Attorney is authorized to bring any suit or action for the destruction of the amusement device as a public nuisance.

E. [No changes]

14B.110.120 – 140 [No changes]

Exhibit M

Code Changes in Chapter 16.40

PRIVATE FOR-HIRE TRANSPORTATION REGULATIONS

16.40.010 – 020 [No changes]

16.40.030 Definitions.

(Amended by Ordinance Nos. 184361 and 186385, effective December 18, 2013.)

A – D [No changes]

E. “Bureau” means the ~~Revenue Bureau~~ Portland Bureau of Transportation of the City of Portland.

F – N [No changes]

O. “Director” means the Director of the ~~Revenue Bureau~~ Portland Bureau of Transportation.

P – II [No changes]

JJ. “Revocation” means that a permit, taxiplate or decal is no longer valid and cannot be renewed without approval by the Director of the ~~Revenue Bureau~~ Portland Bureau of Transportation.

KK – VV [No changes]

16.40.040 – 710 [No changes]